

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHARLES LEE WILLIAMS,  
Plaintiff,  
v.  
ROY SCHEINGART, et al.,  
Defendants.

Case No. [15-cv-03013-JCS](#)

(also filed in Case Nos. 04-cv-0117-MMC,  
06-cv-5825-MMC, and 09-cv-3194-MMC)

**ORDER OF SUA SPONTE REFERRAL  
AS TO WHETHER CASES ARE  
RELATED**

Civil Local Rule 3-12(c) provides that “[w]henever a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the lowest-numbered case with a request that the Judge assigned to the lowest-numbered case consider whether the cases are related.”

Charles Lee Williams filed a Petition and other documents in this action challenging the propriety of his 2002 arrest for armed robbery, 2003 conviction in state court, and subsequent incarceration. Williams has previously filed two petitions for habeas corpus and a claim under 42 U.S.C. § 1983 related to his arrest. Each of those cases was assigned to the Honorable Maxine Chesney, United States District Judge, who dismissed Williams’s § 1983 claim because it would imply the invalidity of his conviction, denied his first habeas petition on the merits, and dismissed his second habeas petition for failure to obtain leave from the Ninth Circuit pursuant to 28 U.S.C. § 2244.

Because the present case and the previous three cases all arise from the same arrest and conviction, this action is REFERRED to Judge Chesney pursuant to Rule 3-12(c) for a determination of whether this action is related to any or all of the following cases: (1) *Williams v. City of Oakland*, No. 04-cv-00117-MMC; (2) *Williams v. Malfi*, No. 06-cv-5825-MMC; and/or (3) *Williams v. Walker*, No. 09-cv-3194-MMC.

Any party may file a response, opposition, or statement in support of relating the cases **no**  
**later than November 2, 2015.**<sup>1</sup>

**IT IS SO ORDERED.**

Dated: October 27, 2015

  
JOSEPH C. SPERO  
Chief Magistrate Judge

United States District Court  
Northern District of California

<sup>1</sup> The undersigned has also issued a Report and Recommendation in this case, recommending that the case be dismissed without leave to amend. If Judge Chesney determines that the cases are not related, this case will be reassigned to a randomly selected United States district judge for further proceedings, including action on that recommendation.